

**TOWN OF ATLANTIC BEACH MUNICIPAL COURT
ATLANTIC BEACH, SOUTH CAROLINA**

**State Auditor's Report on Applying
Agreed-Upon Procedures – Underreported
Court Fines, Fees, and Assessments
June 30, 2007**

**TOWN OF ATLANTIC BEACH MUNICIPAL COURT
ATLANTIC BEACH, SOUTH CAROLINA**

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State of South Carolina



Office of the State Auditor

1401 MAIN STREET, SUITE 1200
COLUMBIA, S.C. 29201

RICHARD H. GILBERT, JR., CPA
DEPUTY STATE AUDITOR

(803) 253-4160
FAX (803) 343-0723

May 12, 2008

The Honorable Mark Sanford, Governor
State of South Carolina
Columbia, South Carolina

Mr. Charles Williams, Acting Town Administrator
Town of Atlantic Beach
Atlantic Beach, South Carolina

This report resulting from the application of certain agreed-upon procedures to certain accounting records of the Town of Atlantic Beach Municipal Court System for the period July 1, 2004 through June 30, 2007, was issued by Cline Brandt Kochenower & Co., P.A., Certified Public Accountants, under contract with the South Carolina Office of the State Auditor.

If you have any questions regarding this report, please let us know.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard H. Gilbert, Jr.", written in a cursive style.

Richard H. Gilbert, Jr., CPA
Deputy State Auditor

RHGjr/trb

Richard H. Gilbert, Jr., CPA
Deputy State Auditor
Office of the State Auditor
Columbia, South Carolina

We have performed the procedures described below which were agreed to by the South Carolina Office of the State Auditor solely to determine if the Town of Atlantic Beach had underreported court fines, fees and assessments to the South Carolina State Treasurer's Office. The Town of Atlantic Beach is responsible for compliance with the requirements of the South Carolina Code of Laws and with the South Carolina Judicial Department memorandums. This engagement to apply agreed-upon procedures was performed in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of the specified users of the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are as follows:

1. COMPLETENESS OF THE SCHEDULE

- The Town of Atlantic Beach prepared a schedule of court fines, fees and assessments for the thirty-six months ended June 30, 2007. We sorted the schedule by receipt number and by ticket number.
- We accounted for the numerical sequence of receipt numbers and ticket numbers and had the Town personnel provide explanations for any gap in the numerical sequence of document numbers.
- We selected a sample of receipts documents and compared the information from the receipt document to the schedule.

We found no exceptions as a result of the procedures.

2. CALCULATIONS OF FINES, ASSESSMENTS AND SURCHARGES

- Using the schedule of court fines, fees and assessments we calculated the fine, assessment and surcharge amounts in accordance with the South Carolina Code of Laws and the South Carolina Judicial Department memorandums.
- We obtained the State Treasurer Revenue Remittance forms for the thirty-six months ended June 30, 2007 to determine the amounts previously remitted to the State Treasurer's Office.
- We compared our calculation of court fines, fees and surcharge amounts with the amounts previously remitted to the State Treasurer's Office to determine if the Town had over/(under) remitted court fines, fees and assessments to the State Treasurer's Office.

- We compared our calculation of court fines, fees and surcharge amounts with the amounts recorded to the Victims Services fund to determine if the Town had over/(under) remitted court assessments related to Victims Services.

The results of our procedures disclosed that the Town had over reported amounts due to the State and under reported the Victims' Services fund. See Attachment 1 for further details.

We were not engaged to, and did not conduct an audit the objective of which would be the expression of an opinion on compliance with the collection and distribution of court generated revenue at any level of court for the thirty-six months ended June 30, 2007 and, furthermore, we were not engaged to express an opinion on the effectiveness of the internal controls over compliance with the laws, rules and regulations described in paragraph one and the procedures of this report. Had we performed additional procedures other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Governor, Chairmen of the House Ways and Means Committee, Senate Finance Committee, House Judiciary Committee, Senate Judiciary Committee, members of the Atlantic Beach Town Council, Town clerk of court, Town treasurer, State Treasurer, State Office of Victim Assistance, Chief Justice and the Office of the State Auditor and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in blue ink, appearing to read "Clint Brantley" followed by a stylized flourish and the initials "E. C. RA".

April 10, 2008

Atlantic Beach Municipal Court
Schedule of Court Fines and Fees
For the 36 months ended June 30, 2007

Attachment 1

Allocation in Accordance with Judicial Department Memo

Allocation in Accordance
with State Law

	<u>TOTAL COLLECTIONS</u>	<u>Law Enforement Surcharge</u>	<u>DUI/\$12</u>	<u>DUI/\$100</u>	<u>Drug Surcharge P 33.7</u>	<u>Conviction Surcharge</u>	<u>Fine & Assessment</u>	<u>State Assessment</u>	<u>Victim Services</u>	<u>Fine</u>	<u>DUS PULLOUT</u>	<u>DUI PULLOUT</u>
Total Tickets:	\$ 134,957.63	17,100.00	48.00	400.00	2,200.00	4,325.00	110,884.63	51,038.30	6,411.03	53,435.30	1,600.00	500.00
Total Remittances Made for the 36 Month Period:	<u>74,738.03</u>	<u>18,025.00</u>	<u>12.00</u>	<u>100.00</u>	<u>1,300.00</u>	<u>0.00</u>		<u>53,601.03</u>	<u>0.00</u>		<u>1,700.00</u>	<u>0.00</u>
	<u>60,219.60</u>											
Balance Due Victim Services:	<u>10,736.03</u>					<u>4,325.00</u>			<u>6,411.03</u>			
Balance Due Atlantic Beach:	\$ <u>(1,851.73)</u>	<u>(925.00)</u>	<u>36.00</u>	<u>300.00</u>	<u>900.00</u>			<u>(2,562.73)</u>			<u>(100.00)</u>	<u>500.00</u>
State Treasurer Revenue Remittance Form Line		K	G	H	J	O		L	N		F	I